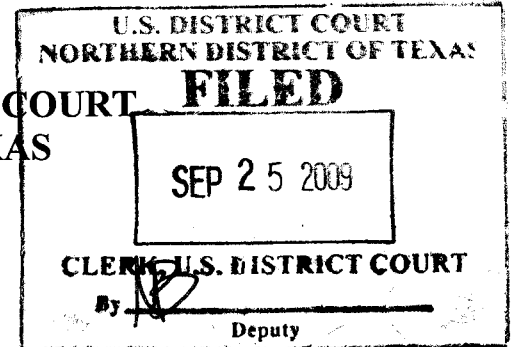


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



REMOVE YOUR CONTENT, LLC, (
Plaintiff, (

v. (

MARK M. BOCHRA,
Defendant. (

CIVIL ACTION NO. 3:09-CV-393-O

Response to Plaintiff's First Amended Complaint

Now Comes the Defendant, Mark M. Bochra, and provides the following in response to Plaintiff's First Amended Complaint:

1. Defendant neither admits nor denies the allegation contained in paragraph 1 of the Plaintiff's Complaint.
2. Defendant denies the allegations contained in paragraph 2 of the plaintiff's Complaint.
3. Defendant neither admits nor denies the allegations contained in paragraph 3 of the plaintiff's Complaint. There is no proof that the matter in controversy exceeds \$100,000.00.
4. Defendant neither admits nor denies the allegations contained in paragraph 4, 5, 6 and 7 of the Plaintiff's Complaint.
5. Defendant denies the allegation contained in paragraph 8 of the Plaintiff's Complaint. Defendant has not threatened Mr. Green and was previously unaware of who he is.
6. Defendant neither admits nor denies the allegation contained in paragraph 9 of the Plaintiff's Complaint.

7. Defendant denies the allegation contained in paragraph 10 of the Plaintiff's Complaint.

8. Defendant neither admits nor denies the allegation contained in paragraph 11 of the Plaintiff's Complaint. The Defendant denies being the "blogger" and therefore can not admit these allegations nor comment on the remarks or posted content of these blogs.

9. Defendant denies the allegation contained in paragraph 12 of the Plaintiff's Complaint.

There is no proof that I am the one that accessed the computer at UIC and I have not been contacted by UIC to verify my involvement in any criminal activity or legal matters, which would be a priority of the University considering it allegedly involves use of their computers. In regard to the subpoena to AT&T, although it identifies an address in Chicago is not specific to the Defendant and would not prove that I would have accessed the emails or blogs.

10. Defendant once again denies any involvement with creating, maintaining or commenting on any of the listed blogs. In addition, I have no objection to the removal of the blogs.

11. Defendant neither admits nor denies the allegation contained in paragraph 14 of the Plaintiff's Complaint.

12. Defendant denies the allegation contained in paragraph 15 of the Plaintiff's Complaint.

Furthermore, the alleged damages caused to the Plaintiff's reputation have not been proven.

13. Defendant neither admits nor denies the allegation contained in paragraph 16 of the Plaintiff's Complaint. Once again the referenced acts that are being alleged to have caused defamation to the Plaintiff's reputation have not been proven to be the actions of the Defendant. In addition, the alleged damages caused have not been proven by the Plaintiff.

14. There has been no proof that the allegations have caused any damage to the plaintiff's business. The Defendant denies any involvement with any of the alleged acts that are being listed as causing said damage.

15. Defendant denies the allegation contained in paragraph 18 of the Plaintiff's Complaint. The defendant is a college student that is not aware of what constitutes defamation.

16. Defendant denies the allegation contained in paragraph 19 of the Plaintiff's Complaint.

17. Defendant denies the allegation contained in paragraph 20 of the Plaintiff's Complaint. The Defendant is a resident of Chicago and not of Texas and has never had any contact with the Plaintiff. There has been no proof submitted detailing any "bodily harm".

18. Defendant denies the allegations contained in paragraph 21 and 22 of the Plaintiff's Complaint. The Plaintiff did not prove the Defendant's interference with his existing business relationships. The Defendant was unaware of who Mr. Green was until his father received the subpoena from AT&T, he is unaware of who Mr. Green conducts his business with. The Defendant has not attempted to interfere in Mr. Green's business relationships. In fact, this entire process has proven to be a burden on the Defendant and has caused extreme emotional damage that subsequently has had a negative affect on my performance in college, which is even more substantial considering that I have a semester left to graduate. In addition, I now have to deal with serious health issues such as anxiety and depression that are a result of this situation (*See Exhibit A, Sealed*).

19. Defendant denies the allegation contained in paragraph 23 of the Plaintiff's Complaint.

20. The complaint does not properly and effectively demonstrate that the Defendant is the individual responsible or liable for the alleged claims. The sum in excess of \$100,000.00 plus potential attorney fees that is being sought by the Plaintiff is completely unjustifiable

and has no merit. I would like to reiterate that I never knew who Eric Green was prior to these claims being made and only know him by name. I was unaware of the blogs and comments being made.

Furthermore, I would like to bring it to the Court's attention that my name was intentionally posted on an adult website by a user name "removeyourcontent" on June 9, 2009 prior to the complaint being filed on August 14, 2009. In addition, the same user name has posted other individual's names and private information on the web. This is a clear violation of PII laws, which prevent people from releasing an individual's private information (*See exhibit A*). It should also be noted that the Defendant has no criminal background and in fact has been an exemplary student to this point and also received numerous awards and accolades regarding his involvement in the community and his performance in school (*See Exhibit B*).

WHEREFORE, PREMISES CONSIDERED, for these reasons, Defendant prays that this complaint be dismissed on all counts.

Respectfully Submitted,

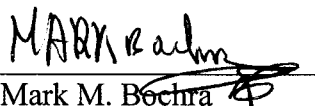
Mark M. Bochra
Defendant

A handwritten signature in black ink that reads "MARK Bochra". The signature is written in a cursive style with a horizontal line underneath the name.

Civil Action No. 3:09-cv-00393-O

CERTIFICATE OF SERVICE

I, Mark M. Bochra, do hereby certify that on the 24th day of September, 2009, the foregoing document was mailed to the clerk of court for the U.S. District Court, Northern District of Texas, 1100 Commerce Street, Room 1452, Dallas, TX 75242 and a true and correct copy was also mailed to Ellen Sacco, the attorney for Remove Your Content, LLC at the address of 2912 W. Story Rd., Irving, TX 75038.


Mark M. Bochra
5757 N. Sheridan Rd
Apt. # 13B
Chicago, IL 60660

September, 24, 2009
Date

**SUPPLEMENT TO RESPONSE TO THE FIRST AMENDED
COMPLAINT OF
MARK M. BOCHRA**

- Exhibit A** **Copy of forum/website where personal information is posted by
username; “removeyourcontent”.**
- Exhibit B** **Awards and accolades of Mark Bochra**

EXHIBIT A



Webmaster forum (<http://www.askdamagex.com/>)

- **Webmaster Business & Traffic Main Discussion** (<http://www.askdamagex.com/f2/>)
- - **ATT: Eric Green "Removeyourcontent.com"** (<http://www.askdamagex.com/f2/att-eric-green-removeyourcontent-com-34817/>)

Crunch

February 16th, 2009 08:29 PM

Quote:

Originally Posted by **SteveHardeman** (Post 342406)
Please also note that Fling seems to be allowing him to promote them on this stolen content site. Make your affiliate decisions accordingly.

99% of webmasters know that already, the people who still promote AFF and Fling just do it because the money is good enough to not care that they're supporting content theft.

CraK

February 16th, 2009 09:05 PM

Quote:

Originally Posted by **Crunch** (Post 342554)
99% of webmasters know that already, the people who still promote AFF and Fling just do it because the money is good enough to not care that they're supporting content theft.

Most people operate under the "i only care about myself" rule and do not look at the bigger picture. That explains this type of thinking.

LAJ

February 17th, 2009 08:15 AM

Wow... the cut and run threat. Love it.

GotBabe

February 17th, 2009 09:24 AM

Quote:

Originally Posted by **Dopenull** (Post 342248)
Whadap dude. Dopenull is here from chroniccentral.net Remember me? We tried to pay a

visit to you dude. Unfortunately you were not available, **we** had some **chicks** that would **love** to **sperm** her *** on you man. R these info correct man? {info removed} Stay tune buddy, keep angering as many adult webmasters as possible. If you're specialized in stalking adult sites, we are specialist in the DOPE and shit like you. Carma is a bitch man, remember. We love nuking people like you. Stay tune, DopeNull

This looks like a batman riddle, but ive solved it for ya

removeyourcontent

June 9th, 2009 08:56 AM

Took awhile but we can now officially clear chroniccentral.net's name, on this post, as it was not them. Mr. Bochra, our attorneys will be in touch.

Head Boy

June 9th, 2009 09:22 AM

Can we get back to the food Toker was offering to us? :)

silicuda

June 9th, 2009 09:40 AM

Quote:

Originally Posted by **Dopenull** (Post 342248)
Carma is a bitch man!

I thought it's spelled Karma ...

biztem

June 9th, 2009 10:06 AM

check mate

removeyourcontent

June 9th, 2009 12:52 PM

Quote:

Originally Posted by **Head Boy** (Post 364607)
Can we get back to the food Toker was offering to us? :)

AskDx threads do sensationally well in google. Lol. Free food is always a plus as well :brow:

Head Boy

June 9th, 2009 01:00 PM

Quote:

Originally Posted by **removeyourcontent** (Post 364681)

AskDx threads do sensationally well in google. Lol. Free food is always a plus as well :brow:

In that case I will give Somerfields - the supermarket - a plug. They've got £10 off the price of a 70cl bottle of 12 year old Glenfiddich malt. I'm just checking that it's the real thing. (not coke). :)

All times are GMT -7. The time now is 10:52 AM.

Page 2 of 2 < 1 2

Show 20 post(s) from this thread on one page

Powered by vBulletin® Version 3.7.2
Copyright ©2000 - 2009, Jelsoft Enterprises Ltd.
SEO by vBSEO 3.2.0



How many
TIME? Plus



SAN FRANCISCO JUNE 25-27, 2009

Posting other people's private names.

Webmaster forum > General > The Public Shitlist
tru-dymez.com / fucktubetv.com

User Name Remember Me? ☐

Password Log in

FAQ

Members List

Calendar

Search

Register

Post Reply

LinkBack Thread Tools

November 26th, 2008, 11:52 PM

#1 ([permalink](#))

removeyourcontent
Serious Contributor

tru-dymez.com / fucktubetv.com

Operates thieving tube site fucktubetv.com. Over 100 videos sent for removal today.



Join Date: Nov 2007
Posts: 535

Jones, Quincy
RR 3 Box 3639
Townsend, Georgia 31331
United States
9128326775

PII information



Quote

November 27th, 2008, 09:20 PM

#2 ([permalink](#))

removeyourcontent
Serious Contributor



I love it when pirates threaten to sue. It's equatable to drug dealers threatening to sue the police for disrupting their operations. 200 calls my ass.

Also.. Quincy... your information is public.

Join Date: Nov 2007

Posts: 535

<http://whois.domaintools.com/fucktubetv.com>

Now.. with this little stunt, we're now forwarding every infringing video we find, in the future, directly to our client's attorneys.. over 60 at last count.

Have a nice day. ☺☺☺

"Hi

I am Quincy Jones.

Owner of Fucktubetv.com.

I have complied with all your requests to remove all the copyright materials.

I am currently going to all the videos to delete copyright contents.

I do have an issue.

That issue is I received over 200 calls today.

Regarding a post that was found on a forum "AskdamageX.com"

The post was from your Handle Name in affiliate with your site.

Implying my address, phone number, and name.

[tru-dymez.com / fucktubetv.com](http://tru-dymez.com/fucktubetv.com)

Being that after your request of removal of contents.

I find it very unprofessional to do such vindictive action on your part..

After the fact you contacted me very professionally.

To come down to releasing my personal info in this manner. In a public forum.

You and I know the law protects both ways.

The copyright way and human way.

I have contacted my lawyer .

He had informed me I fall under the DMCA Title II, the Online Copyright Infringement Liability Limitation Act Safe Harbour protection.

Also I have contacted local law enforcement to document the thread on the forum of unlawfully releasing my personal information.

The reason I had to go this route is to protect any jeopardization of my immediate family and damages that may or may not come upon in the future.

With respect to you and your business

www.removeyourcontent.com

I have the faith you will deal with this matter promptly

Thanks Quincy Jones

<http://www.askdamagex.com/showthread.php?t=32424>





November 28th, 2008, 10:13 AM

#7 ([permalink](#))

Pornonada

Serious Contributor



Join Date: Dec 2005

Location: Bulgaria

Posts: 10,742

Quote:

Originally Posted by JD
haha what a god damn retard.

WHOIS INFORMATION IS PUBLIC INFORMATION

Whois Information might be public information at the Whois Site, posting it on a public forum might be a bit different in my opinion

I mean peoples names, addresses and phonenumbers are public information in phonebooks as well, but i doubt i can post them on porn forums or other places just like i wish.

Biggest NOskim Network open for Trades/Linkexchanges

500+ Text, TGP, MGP and Link Sites for Trade!

All Linkexchanges are autoapproved!

Linkexchanges here - Small Traffic Trades - Thunder-Ball Profil



November 28th, 2008, 11:13 AM

#8 ([permalink](#))

removeyourcontent

Serious Contributor



Join Date: Nov 2007

Posts: 535

Quote:

Originally Posted by Pornonada
Whois Information might be public information at the Whois Site, posting it on a public forum might be a bit different in my opinion

I mean peoples names, addresses and phonenumbers are public information in phonebooks as well, but i doubt i can post them on porn forums or other places just like i wish.

Criminals have no privacy privileges



info privacy, BUT even IF i do NOT use any additionally features doesn't mean automaticly everybody could/should use personal information anyway he might think it's ok.

Biggest NOskim Network open for Trades/Linkexchanges
500+ Text, TGP, MGP and Link Sites for Trade!
All Linkexchanges are autoapproved!
[Linkexchanges here](#) - [Small Traffic Trades](#) - [Thunder-Ball Profil](#)



December 6th, 2008, 10:37 AM

#12 ([permalink](#))

Pornonada

Serious Contributor



Join Date: Dec 2005
Location: Bulgaria
Posts: 10,742

Quote:

Originally Posted by [removeyourcontent](#)
Criminals have no privacy privileges

My comment was more principal and generally, so is this one. Let me say it that way, just because someone did a crime doesn't mean automaticly you can do him something illegal as well. As i said, just generally and about privacy as i think that things are not as easy as some may think they are....

Biggest NOskim Network open for Trades/Linkexchanges
500+ Text, TGP, MGP and Link Sites for Trade!
All Linkexchanges are autoapproved!
[Linkexchanges here](#) - [Small Traffic Trades](#) - [Thunder-Ball Profil](#)



December 6th, 2008, 12:47 PM

#13 ([permalink](#))

removeyourcontent

Serious Contributor



Join Date: Nov 2007
Posts: 535

Quote:

Originally Posted by [Pornonada](#)
My comment was more principal and generally, so is this one. Let me say it that way, just because someone did a crime doesn't mean automaticly you can do him something illegal as well. As i said, just generally and about privacy as i think that things are not as easy as some may think they are....

Bullshit.

Design Thief: lostgirlonline.com

I'm sure Ben Silvas doesn't appreciate his name on a "porn board"

MoB



Paysite Designs - TGP Designs - Blog Designs

Yellow Fiber 4 Life - Rule The SERPS - I'm On a Boat

icq: 265808340 | aim: mrsicks

Get Top 5 Google Rankings In Under 30 Days



December 7th, 2008, 05:03 PM

#17 ([permalink](#))

Pornonada

Serious Contributor



out of curiosity i readed a bit about privacy

here the most interesting things from wikipedia:



Join Date: Dec 2005

Location: Bulgaria

Posts: 10,742

Quote:

Whilst the acronym PII is commonly used, there is no common or agreed use of the words from which it is created. Common variants are personal identifiable information, personally identifiable information, personal identifying information and personally identifying information.

In privacy, PII is less restrictive than in Information security and one definition can be found in the EU directive 95/46/EC:[2]

Article 2a: 'personal data' shall mean any information relating to an identified or identifiable natural person ('data subject'); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity;

Although the concept of PII is ancient, it has become much more important as information technology and the Internet have made it easier to collect PII, leading to a profitable market in collecting and reselling PII. PII can also be exploited by criminals to stalk or steal the identity of a person, or to plan a person's murder or robbery, among other crimes. As a response to these threats, many web site privacy policies specifically address the collection of PII, and lawmakers have enacted a series of legislation to limit the distribution and accessibility of PII.

Quote:

Items which might be considered PII include, but are not limited to, a person's:

Full name (if not common)
National identification number
Telephone number
Street address
E-mail address
IP address (in some cases)
Vehicle registration plate number
Driver's license number
Face, fingerprints, or handwriting
Credit card numbers
Digital identity

*All of which
Mr green
have posted
on page 1*

Quote:

Related laws

Below are examples of legal frameworks affecting data privacy in several jurisdictions.

Canada

Privacy Act (governs the Federal Government agencies)
Personal Information Protection and Electronic Documents Act (PIPEDA) of (2001 government entities), (2004 All other entities)

United States of America

Recently lawmakers have paid a great deal of attention to protecting a person's PII.

The U.S. Senate has recently proposed the Privacy Act of 2005, which attempts to strictly limit the display, purchase, or sale of PII without the person's consent.

California has privacy written into the state constitution Article 1, Section 1.

Online Privacy Protection Act (OPPA) of 2003

Federal Laws

Privacy Act of 2005

Information Protection and Security Act

Identity Theft Prevention Act of 2005

Online Privacy Protection Act of 2005

Consumer Privacy Protection Act of 2005

Anti-phishing Act of 2005

Social Security Number Protection Act of 2005

Wireless 411 Privacy Act

US 'Safe Harbor' Rules (EU Harmonisation)

Title 18 of the United States Code, section 1028d(7)



Webmaster forum (<http://www.askdamagex.com/>)

- **The Public Shitlist** (<http://www.askdamagex.com/f14/>)

- **Poshalim.tv** (<http://www.askdamagex.com/f14/poshalim-tv-29419/>)

removeyourcontent

August 14th, 2008 07:03 PM

Poshalim.tv

Stolen content galore but there's a catch... He's reselling it for profit.

<http://poshalim.tv>

Operating the following CJ sites:

<http://dayana.in/> - Main Trade Site

<http://bigporevo.com/>

<http://trampampam.com/>

<http://gdelegytporno.com>

<http://gdetutporno.com>

<http://tutestsex.com>

<http://dailyhomevids.com>

<http://sexyfatbooty.com>

<http://skladporno.com>

<http://fotosexa.com>

<http://poshalim.com>

<http://whois.domaintools.com/213.174.136.223>

Administrative Contact:

Multimedia & Internet Exploitatie BV

Helg Gregorson (thexelg@gmail.com)

Walsoordensestraat 72

WALSOORDEN

null,4588KD

NL

Tel. +31.102821503

PII information

All times are GMT -7. The time now is 10:51 AM.

Powered by vBulletin® Version 3.7.2
Copyright ©2000 - 2009, Jelsoft Enterprises Ltd.
SEO by vBSEO 3.2.0

EXHIBIT B

President's Education Awards Program



presented to
Mark Bochora

in recognition of

Outstanding Academic Excellence

Lodriguez

2004

Yvonne

U.S. Secretary of Education

President of the United States

Debra A. Hughes
Principal

Nicholas Sam High School
School

chicago park district

2005 JUNIOR CITIZEN PROGRAM

presents this certificate of recognition to

Mark Bachma

for attaining the distinction of being selected an outstanding

JUNIOR CITIZEN

Awarded by the Chicago Park District for academic performance, moral character,
and service to the park and community.

February 17, 2005

Timothy J. Mitchell
Timothy J. Mitchell
Chicago Park District
General Superintendent & CEO



Matt Maino
Matt Maino
North Region Manager
Chicago Park District

Certificate of Achievement

Awarded To

Mark Becker

In recognition of outstanding accomplishments in the Coaching & Officiating apprenticeship

☒ Cycle I

☐ Cycle II

☐ Cycle III

Instructor(s)

Richardson

Date

12/08/04

Program Specialist

Laura "Lau" O'Neil

Date

12/08/04

Maggie Daley

Maggie Daley

Date

12/08/04



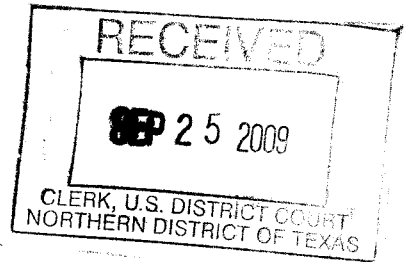
after school matters
CHICAGO

Find Your Future Find Your Future
Find Your Future Find Your Future

Mark M. Bochra
5757 N. Sheridan Rd.
Apartment # 13B
Chicago, IL 60660

September 24, 2009

United States District Court
Northern District of Texas
Dallas Division
1100 Commerce Street, Room 1452
Dallas, TX 75242



RE: Response to First Amended Complaint
CIVIL ACTION NO. 3:09-CV-393-O

Dear Clerk of the Court:

Please process the enclosed response to the First Amended Complaint. Should you have any questions please contact me.

Sincerley,

Mark M. Bochra

Attachments Enclosed

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT
for the
Northern District of Texas

9/5/09

Remove Your Content, LLC

V.

Mark Bochra

)
)
)
)
)

Civil Action No. 3:09-cv-00393-O

Summons in a Civil Action

TO: *(Defendant's name and address)*

Mark Bochra
5757 N. Sheridan Road
Apt. 1313
Chicago, IL 60660

A lawsuit has been filed against you. Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure.

The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Ellen Sacco
2912 W Story Rd
Irving, TX 75038

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.


CLERK



08/14/2009

DATE

AO 440 (Rev. 04/08) Civil Summons (Page 2)

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____
by:

(1) personally delivering a copy of each to the individual at this place, _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____ ; or

(4) returning the summons unexecuted to the court clerk on _____ ; or

(5) other (*specify*) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

Date: _____

Server's signature

Printed name and title

Server's address

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

REMOVE YOUR CONTENT, LLC

§

§

Plaintiff,

§

v.

§

§

MARK M. BOCHRA,

§

§

Defendant

§

CIVIL ACTION NO. 3:09-cv-393

JURY TRIAL DEMANDED

PLAINTIFF'S FIRST AMENDED COMPLAINT

TO THE HONORABLE COURT:

COMES NOW, REMOVE YOUR CONTENT, LLC, Plaintiff, and files this First Amended Complaint against MARK BOCHRA, and would show the Court as follows:

I.

PARTIES

1. Plaintiff, Remove Your Content, LLC, is a Texas limited liability company with a principal place of business in Irving, Dallas County, Texas.
2. Defendant, MARK M. BOCHRA, is a citizen of the State of Illinois and can be served at his home address at 5757 N. Sheridan Rd., Apt. 1313, Chicago, IL 60660.

II.

JURISDICTION AND VENUE

3. Subject matter jurisdiction is conferred on this Court pursuant to 28 U.S.C. § 1332(a), as the matter in controversy exceeds \$100,000.00 (excluding interest and costs), and there is a complete diversity of citizenship. Further, this Court has jurisdiction under 28 U.S.C. § 1338, as this matter involves trademark infringement. This Court has supplemental jurisdiction of any remaining claims set forth herein pursuant to 28 U.S.C. § 1367 as these claims for relief arise out of a common nucleus of operative facts and form part of the same case or controversy.

4. Venue for all causes of action stated herein pursuant to 28 U.S.C. § 1391(b)(2) lies in the Northern District of Texas in that a substantial part of the events or omissions giving rise to the claim occurred in the Northern District of Texas and Defendant directed acts to Plaintiff in the Northern District of Texas.

III. **FACTS**

5. Plaintiff, Remove Your Content, LLC, was formed to help combat copyright infringement and piracy on the internet. Plaintiff provides various services to its clients, such as searching for illegally uploaded content, sending Digital Millennium Copyright Act (DMCA) notices, and working with websites to remove the stolen content. Plaintiff specializes in working with adult entertainment industry clients and protecting its clients' copyrighted adult content.

6. Because of Plaintiff's specialization and success in getting copyright infringing material removed, Plaintiff and Plaintiff's owner, Eric Green, have attracted attention from individuals who target and consistently distribute illegal and pirated content on the internet. Plaintiff and Mr. Green have become the target of "hate blogs" on the internet, as well as threats.

7. "Dope Nuck" or "Dope Lord" or "Dopenull" (dopenuke@gmail.com and dopenull@gmail.com) has posted messages and e-mailed Mr. Green directly with threats.

8. For example, Defendant, using the online persona "Dope Nuck," has physically threatened Mr. Green and Remove Your Content, LLC via e-mail. The e-mail states that Plaintiff should "Either quite bothering all these sites and blogs or will take the bet and nuke you with an early Christmas present." (sic). Defendant has also threatened Plaintiff, made several references to "nuking" Plaintiff, and stated that he is "messaging with the f----- big boys n----a" and that the Defendant is with the "dope gangs, we live in the hood and prison." Defendant also

claimed that he had tried to “pay a visit” to Mr. Green and that “Carma is a b-----.” (sic). Defendant has also posted similar threats against Plaintiff in an online forum.

9. Plaintiff is understandably concerned about these threats and has filed a police report with the Irving Police Department detailing the threats. ?

10. Defendant also writes several identical hate blogs posted online at various places, including:

<http://ericgreensuck.blogspot.com>,

<http://removeyourcontentsuck.blogspot.com>

<http://removeyourcontentfake.blogspot.com>

<http://removeyourcontentsucks.blogspot.com>

<http://removeyourcontenttruth.blogspot.com>

11. The blogs are replete with false and defamatory information. The blog includes false statements that Plaintiff operates illegally, sends illegal DMCA notices, and is not a legitimate business. The blog also states falsely that Plaintiff sends DMCA notices with no basis of copyright infringement and falsely states that Plaintiff runs its own pirated adult content sites. The Defendant blogger also writes that Plaintiff and Eric Green are in a “shady business...fake and not legit...a scam” and thieves and copyright infringers. The blog also uses Plaintiff’s own trademarked content, specifically Plaintiff’s web page images, which include its registered trademark. Plaintiff has requested that the trademarked images be removed, but, to date, they have not been removed.

12. Through a subpoena University of Illinois at Chicago (“UIC”), Plaintiff has been able to ascertain that the e-mail dopenull@gmail.com was accessed from a UIC computer which logged the Defendant, who is a student at the UIC, at a time when the e-mail was accessed.

Furthermore, through a subpoena to AT&T, Plaintiff discovered that the same Defendant herein has also created all of the defamatory blogs about the Plaintiff. All were traced back to the same address in Chicago.

13. Plaintiff sues in order to recover damages, which are continuing unless the blogs are removed.

IV.

CONDITIONS PRECEDENT

14. All conditions precedent have been performed, have occurred, or have been waived.

V.

CAUSES OF ACTION

Plaintiff incorporates by reference Sections I-IV hereinabove.

First Cause Of Action – Defamation and Slander

15. The Defendant published and continues to publish false statements purporting to be facts about Plaintiff to third persons, via various websites. No privilege, absolute or conditional, attaches to these statements. Defendant's false and defamatory statements have caused damages to Plaintiff's reputation. *This has not been proven*

16. Each of the above referenced acts constitutes defamation and has caused the damages suffered by Plaintiff.

Second Cause Of Action – Defamation Per Se


17. The Defendant's false statements negatively affected Plaintiff in its business.

18. Each of the above referenced acts constitutes defamation and caused the damages suffered by Plaintiff.

Third Cause of Action—Business Disparagement

19. The Defendant published disparaging and false words about the Plaintiff's economic interests. The words were false. The Defendant published the words with malice. The Defendant published the words without privilege, and the publication caused the Plaintiff special damages.

Fourth Cause of Action—Assault by Threat of Bodily Injury

20. Defendant, via his online personas, "Dope Nuck" or "Dope Lord" or "Dopenull" (dopenuke@gmail.com and dopenull@gmail.com), has threatened Plaintiff with bodily harm. The Defendant is acting intentionally and knowingly and threatening the Plaintiff and Plaintiff's owner, Eric Green, with imminent bodily injury. The Defendant's threats have caused injury to the Plaintiff. 

Fifth Cause of Action-Tortious Interference with Contracts

21. Plaintiff has existing business relationships and contracts and potential business relationships that could result in new business for its operations. Defendant have tortiously interfered with these relationships in an attempt to harm Plaintiff and Plaintiff's business operations.

22. Defendant was aware that current and/or prospective business relationships existed and acted intentionally. As a proximate result of the tortious interference, Plaintiff has suffered damages.

Sixth Cause of Action-Trademark Infringement

23. Plaintiff is the owner of a valid trademark, serial number 77604591. The trademarked name "Remove Your Content," is being used by Defendant unlawfully. Defendant, via the site <http://ericgreensuck.blogspot.com>, has made an additional blog mirroring the original <http://removeyourcontent.blogspot.com/> and is using Plaintiff's trademarked name without authorization or permission. Further, Defendant is wrongfully using Plaintiff's website content

on his blogs.

VI.

EXEMPLARY DAMAGES AND ATTORNEY'S FEES

Plaintiff incorporates by reference herein all of the allegations set forth in hereinabove in this Original Complaint.

24. By reason of the acts and conduct described above, the Defendant is liable to Plaintiff for exemplary damages in an amount to be awarded by the jury after taking into consideration the nature of the wrongs, the character and conduct involved, the degree of culpability of the wrongdoer, and the situation and sensibilities of the parties concerned and the extent to which this conduct offends the public sense of justice and propriety.

25. Plaintiff is entitled to attorney's fees. The fees for such services Plaintiff's counsel states is the sum of at least \$75,000.00 should this matter require a trial in a court of law.

VII.

APPLICATION FOR PRELIMINARY AND PERMANENT INJUNCTIONS

Plaintiff incorporates by reference herein all of the allegations set forth in hereinabove in this Original Complaint.

26. In order to preserve the status quo and the property rights of the Plaintiff during the pendency of this action, Defendant should be cited to appear and show cause why they should not be preliminarily restrained, during the pendency of this action from:

- 1) Contacting Plaintiff's place of business or any of Plaintiff's employees, directly or indirectly, in any manner;
- 2) Contacting any of Plaintiff's clients or customer, directly or indirectly, in any manner; and

- 3) Continuing to make false and defamatory statements about Plaintiff or Plaintiff's employees.

27. For the reasons stated, Plaintiff requests that, after the hearing, this Court enjoin Defendant for the relief requested.

28. Plaintiff requests that after trial on the merits that a permanent injunction be issued against the Defendant.

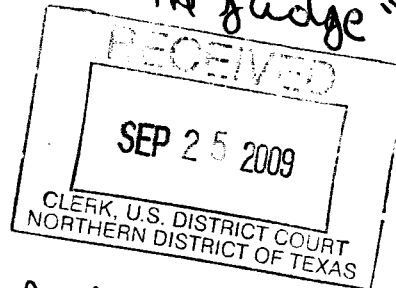
PRAYER

WHEREFORE, PREMISES CONSIDERED, for these reasons, Plaintiff prays for the following, and all other relief to which Plaintiff may show that it is justly entitled:

1. After hearing, a preliminary injunction be issued to Defendant restraining Defendant as requested above;
2. After a trial on the merits, that a permanent injunction be issued to Defendant;
3. Judgment against Defendant for actual and special damages in an amount within the jurisdictional limits of the court;
4. Judgment against Defendant for exemplary damages in an amount within the jurisdictional limits of the Court;
5. Pre and Postjudgment interest;
6. Attorneys' fees and costs of court;
7. Such other and further relief to which Plaintiff may be justly entitled.

Exhibit A, sealed

Please keep this private, only to
the judge "medication history"



Thank,
MARK Boehra

3:09cv393-O